

DAVID S. LEE, ESQ.
Nevada Bar No.: 6033
ELIZABETH C. SPAUR, ESQ.
Nevada Bar No. 010446
LEE, HERNANDEZ, LANDRUM
& CARLSON, APC
7575 Vegas Drive, Suite 150
Las Vegas, Nevada 89128
(702) 880-9750
Fax; (702) 314-1210
dlee@lee-lawfirm.com
bspaur@lee-lawfirm.com
Attorneys for Defendant,
TOW PROPERTIES, LLC V

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

DEUTSCHE BANK NATIONAL TRUST
COMPANY, AS TRUSTEE FOR MORGAN
STANLEY HOME EQUITY LOAN TRUST,
2006-1, a national bank

Plaintiff,

vs.

PEPPERTREE HOMEOWNERS
ASSOCIATION, a Nevada Corporation;
TOW PROPERTIES, LLC V, a Nevada non-
profit co-op corporation,

Defendants.

CASE NO.: 2:18-cv-00619

**STIPULATION AND ORDER TO
DISMISS TOW PROPERTIES, LLC V'S
COUNTERCLAIMS AGAINST
DEUTSCHE BANK NATIONAL TRUST
COMPANY, AS TRUSTEE FOR
MORGAN STANLEY HOME EQUITY
LOAN TRUST, 2006-1**

Pursuant to Federal Rule of Civil Procedure 41(a), Defendant TOW PROPERTIES, LLC
V (hereinafter "TOW") and Plaintiff, Deutsche Bank National Trust Company, as Trustee for
Morgan Stanley Home Equity Loan Trust 2006-1 (hereinafter "Deutsche Bank") (collectively,
the "Parties"), by and through their respective counsel of record, hereby stipulate as follows:

1. On April 6, 2018, Plaintiff Deutsche Bank filed its Complaint in this action naming
Peppertree and Tow Properties, LLC V as defendants related to a homeowners association
foreclosure sale of real property located at 1865 Avacado Court, Henderson, NV 89014;
(APN: 178-05-614-036) (hereinafter "Property")

2. On May 14, 2018, TOW filed a counterclaim against Deutsche Bank;

3. The Parties hereby agree that TOW's claims against Deutsche Bank shall be dismissed with prejudice, and TOW and Deutsche Bank shall each bear its own costs and fees related to this litigation.

4. Deutsche Bank asserts that it does not have a current ownership interest in title to the Property.

5. This dismissal does not affect any rights, claims or defenses of TOW or Deutsche Bank with respect to any other party related to the foreclosure sale of the Property.

LEE, HERNANDEZ, LANDRUM & CARLSON

/s/Elizabeth S. Spaur, Esq.

Elizabeth C. Spaur, Esq.
Nevada Bar No. 10446
7575 Vegas Dr., Suite 150
Las Vegas, NV 89128
Telephone: (702) 880-9750
Facsimile: (702) 314-1210
Attorney for Defendant Tow Properties, LLC
V

ZIEVE, BRODNAX & STEELE, LLP

/s/J. Stephen Dolembro, Esq.

J. Stephen Dolembro, Esq.
Nevada Bar No. 9795
9435 West Russell Road, Suite 120
Las Vegas, Nevada 89148
Tel: (702) 948-8565
Fax: (702) 446-9898
sdolembro@zbslaw.com
*Attorneys for Plaintiff Deutsche Bank
National Trust Company, as Trustee for
Morgan Stanley Home Equity Loan Trust
2006-1*

LEE, HERNANDEZ, LANDRUM & CARLSON, APC
7575 VEGAS DRIVE, SUITE 150
LAS VEGAS, NV 89128
(702) 880-9750

ORDER

Based on the foregoing stipulation, and good cause appearing,

IT IS ORDERED that TOW's Counterclaim against Plaintiff DEUTSCHE BANK is hereby dismissed from this case with prejudice.

IT IS FURTHER ORDERED that Plaintiff DEUTSCHE BANK has no present ownership interest in title to the Property, and title is quieted in TOW.

IT IS FURTHER ORDERED that each party shall bear its own attorneys' fees and costs.

IT IS FURTHER ORDERED that this dismissal does not affect any rights, claims or defenses of TOW PROPERTIES, LLC V or DEUTSCHE BANK with respect to any other party related to the foreclosure sale of the Property.

IT IS SO ORDERED.

DATED this 14th day of June 2019.



U.S. DISTRICT COURT OR MAGISTRATE JUDGE

Respectfully submitted:

**LEE, HERNANDEZ, LANDRUM &
CARLSON, APC**

By: _____

DAVID S. LEE, ESQ.
Nevada Bar No. 6033
ELIZABETH C. SPAUR, ESQ.
Nevada Bar No. 010446
7575 Vegas Drive, Suite 150
Las Vegas, NV 89128
Attorneys for Defendant, TOW PROPERTIES, LLC V